IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH

AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY-FIFTH DAY OF AUGUST

TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR. JUSTICE V.V.S.RAO

WRIT PETITION NO.13493 OF 1999

Between:

K.Murali Krishna, S/o.Sree Ramulu, Ist Year M.Sc.,

Priyadarshini Degree & P.G. College

Dharam Karam Road, Ameerpet, Hyderabad.

...PETITIONER

And

1. The A.P.State Council of Higher Education,

Rep. by its Secretary, Saifabad, Hyderabad.

2. A.P.S.R.T.C. rep. by its Regional Manager,

Kukatpally Depot Region, Hyderabad.

3. The Principal, Priyadarshini Degree & P.G.College,

Dharam Karam Road, Ameerpet, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to

issue any writ, order or direction more particularly one in the nature of Writ of Mandamus:-

i. declaring the action of the 1st respondent in imposing a condition No.8 in the proceedings R.C.No.APSCH/808/PG/Secy/98, 13.8.1998 as arbitrary, illegal, improper, discriminatory and violation of Articles 14 and 16 of the Constitution of India.

ii. declaring the action of the respondents in denying the bus pass facility on par with other recognized Govt. Degree Colleges as arbitrary and discriminatory.

iii. Consequently direct the respondents to extend all such benefits to the petitioner including other students prosecuting the studies in the 3rd respondent college.

WRIT PETITION NO.13561 OF 1999

Between:

J. Bhaskara Varma, S/o.Varma

Student of NRM Degree College, H.B.Colony

Moula- Ali, Hyderabad.

…PETITIONER

And

1. The A.P.State Council of Higher Education,

Rep. by its Secretary, Saifabad, Hyderabad.

2. A.P.S.R.T.C. rep. by its Regional Manager,

Kukatpally Depot Region, Hyderabad.

3. The Principal, N.R.M. Degree College,

H.B.Colony, Moula –Ali, Hyderabad.

…RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue any writ, order or direction more particularly one in the nature of Writ of

Mandamus:-

i. declaring the action of the 1st respondent in imposing a condition No.8 in the proceedings R.C.No.APSHE/New. Deg. Colleges/Sec/97-98, dt.13.6.1997 as arbitrary, illegal, improper, discriminatory and violation of Articles 14 and 16 of the Constitution of India.

ii. declaring the action of the respondents in denying the bus pass facility on par with other recognized Govt. Degree Colleges as arbitrary and discriminatory.

iii. Consequently direct the respondents to extend all such benefits to the petitioner including other students prosecuting the studies in the 3rd respondent college.

WRIT PETITION NO.13571 OF 1999

Between:

K.Ananad Pavan Kumar, S/o.Veerabhadra Rao, Ist Year M.Sc.,

Viswa Bharathi Degree & P.G. College

Kukatpally, Hyderabad.

…PETITIONER

And

1. The A.P.State Council of Higher Education,

Rep. by its Secretary, Saifabad, Hyderabad.

2. A.P.S.R.T.C. rep. by its Regional Manager,

Kukatpally Depot Region, Hyderabad.

3. The Principal, Viswa Bharathi Degree & P.G.College,

Plot No.142, Balaji Complex, Behind Margadarsi Chit Fund,

Kukatpaly, Hyderabad.

…RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue any writ, order or direction more particularly one in the nature of Writ of Mandamus:-

i. declaring the action of the 1st respondent in imposing a condition No.8 in the proceedings R.C.No.APSCH/894/PG/Secy/98, 17.10.1998 as

arbitrary, illegal, improper, discriminatory and violation of Articles 14 and 16 of the Constitution of India.

ii. Consequently direct the respondents to extend all such benefits to the petitioner including other students prosecuting the studies in the 3rd respondent college.

Counsel for the Petitioner: MR. K.BHEEM RAO in all the W.Ps.

Counsel for the Respondent No.1: G.P. for Higher Education in all the W.Ps.

Counsel for the Respondent No.2: MR.T. HARINATH, S.C. for A.P.S.R.T.C. in all W.Ps.

Counsel for the Respondent No.3: None appeared in all W.Ps.

The Court made the following:

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COMMON ORDER:

In these Writ Petitions the condition, imposed by first respondent while granting permission for starting Private Un-aided Degree Colleges, which prohibits the Colleges from making recommendations for the issue of bus passes and scholarships, is challenged. Strong reliance is placed on the judgment of this Court in Writ Petition No.28965 of 1997 and batch, dt.15.3.1999 wherein it was laid down:

Under the circumstances, the Writ Petitions are disposed of with a direction that the

petitioners – students and similarly situate students shall be extended the benefit of scholarships for Scheduled Castes, Scheduled Tribes and Backward Classes and they shall also be issued concessional bus and railway passes in accordance with their respective rules and regulations without reference to the stipulations made by the Intermediate Board in respect of these two benefits while granting recognition. If any applications are already pending before the authorities for extension of these benefits, the same shall be considered in accordance with the rules and regulations.

This Court while admitting the Writ Petitions passed interim orders directing to issue bus passes to petitioners without referring to proceedings issued by first respondent. In that view of the matter, no further orders are necessary in these Writ Petitions.

The Writ Petitions are accordingly disposed of. No costs.

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(V.V.S.RAO, J)

25.8.2004

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To

1. The Secretary, A.P.State Council of Higher Education,

Saifabad, Hyderabad.

2. The Regional Manager, A.P.State Road Transport Corporation,

Kukatpally Depot Region, Hyderabad.

3. 2 CCs to GP for Higher Education, High Court Bldgs., Hyderabad (OUT).

4. 2 CD copies